

04/28/2006 10:03 FAX 6123343312

WESTMAN, CHAMPLIN &amp; KELLY

009

-7-

REMARKS

This is in response to the Office Action mailed on September 12, 2005. Claims 1-27 were pending in application, and the Examiner rejected all claims. With this amendment, Claims 1, 6 and 7 are amended and the remaining claims are unchanged in the Application.

At the top of page 2 of the Office action, the Examiner rejected claims 6 and 7 under 35 U.S.C. §112, second paragraph. The Examiner indicated that there was no antecedent basis for "the acoustic feature extractor". Both claims 6 and 7 have now been amended to depend from claim 5. Therefore, antecedent basis is found in claim 5. Applicant thus submits that the claims are now in proper form.

At the bottom of page 2 of the Office Action, and through page 5 of the Office Action, the Examiner rejected claims 1-5, 7-18, 20-21 and 23-27 under 35 U.S.C. §102(a) as being anticipated by the Field et al. reference (GB 2,354,850). Of these, claims 1, and 21 are independent claims. Applicant respectfully traverses the Examiner's rejection.

The Field reference discusses a server-based system. The system 10 for processing voice calls is expressly stated to be a server-based system, and the system is shown in more detail in FIG. 2 of Field et al. FIG. 2 specifically shows that server 20 forms the basis of the system, and the detailed description in Field et al. is replete with references to the fact that server 20, or the server-based system 10 supported by server 20, performs substantially all of the processing discussed therein. This is a fundamentally different type of system than that claimed by the present application.

Independent claim 1 and 21 of the present application claim a voice message processing system with "a distributed voice data processor..." (claim 1) and a method of processing voice messages including "processing the new voice message at |a

04/28/2006 10:03 FAX 6123343312

WESTMAN CHAMPLIN &amp; KELLY

010

-8-

distributed processor...". The present application very expressly defines what "distributed processor" means. The present application states that such a processor is "a non-server based system, but a system under the control of the individual user, such as a desktop system, a personal digital assistant (PDA), a telephone, a laptop computer, etc." Page 4, line 26-page 5, line 1.

There are many advantages to the present system being a distributed system, instead of a server-based system. Among those are that it reduces cost and increases flexibility, and substantially eliminates the need for a system administrator, which is required in server based systems.

Field et al. neither teach nor discuss nor even mention any type of distributed system, but instead refer only to a server-based system. Therefore, Field et al. cannot anticipate the present invention. Further, Field et al. neither teach nor suggest the present invention, and thus claims 1 and 21 are allowable over Field et al.

Applicant also submits that a number of the dependent claims are independently allowable. For instance, dependent claim 4 specifically claims a speaker model training component configured to train a speaker identification model. Similarly, dependent claim 24 includes receiving a user input indicative of a speaker identity, and training a speaker identification model. Field et al. neither teach nor suggest any type of model training, whatsoever. Specifically, the passages cited by the Examiner do not teach a system that trains models. Thus, Applicant submits that dependent claims 4 and 24 are independently allowable.

Dependent claim 11 specifically states that the distributed voice data processor includes a summarization component configured to generate a summary of the voice message. Again, the passages cited by the Examiner simply fail to teach or

04/28/2006 10:04 FAX 6123343312

WESTMAN CHAMPLIN &amp; KELLY

011

-9-

suggest, or even mention, any type of component that summarizes a voicemail message. Therefore, Applicant submits that dependent claim 11 is independently allowable.

Further, dependent claims 16 and 23 discuss changing the rate at which the speaker speaks in the voicemail message, when the message is played back. The text passages of Field et al. cited by the Examiner discuss the fact that a speaking rate is detected, but there is no discussion, or even mention, of anything in Field et al. that allows a user to change the rate at which the message is spoken, when played back to the user. Specifically, dependent claim 16 includes "a rate changing input which, when actuated by the user, changes a speaking rate associated with the voice message." Similarly, claim 23 includes "normalizing the speaking rate to a user-selected speaking rate." Since these are neither shown nor suggested by the reference cited by the Examiner, Applicant submits that dependent claims 16 and 23 are independently allowable.

In addition, Applicant submits that dependent claim 20 is independently allowable. Dependent claim 20 is drawn to a user interface that "displays a rule indicator indicative of rules being applied." The passage cited by the Examiner in Field et al. simply does not mention or suggest providing an indicator that indicates what rules are applied. Therefore, Applicant submits that dependent claim 20 is independently allowable.

Applicant further submits that a host of dependent claims are allowable by virtue of the fact that they are neither taught nor suggested in a distributed environment. For instance, dependent claims 2, 3, 5, 6, 7, 9, 10, 12-14, 18, 19, 22, and 26 are neither taught nor suggested as being performed anywhere on a distributed processor. Thus, Applicant submits that those claims are independently allowable as well.

Finally, the Examiner cited St. John (WO 01/16936) in rejecting claims 16, 19 and 22 under 35 U.S.C. §103(a). However,

04/28/2008 10:04 FAX 6123343312

WESTMAN CHAMPLIN &amp; KELLY

012

-10-

the St. John reference does not remedy the deficiencies in Field et al. Therefore, Applicant traverses that rejection as well.

In conclusion, Applicant submits that the claims are now in condition for allowance. Applicant further submits that claims 1-27 are allowable over the references cited by the Examiner. Therefore, Applicant respectfully requests reconsideration and allowance of claims 1-27.

The Director is authorized to charge any fee deficiency required by this paper or credit any overpayment to Deposit Account No. 23-1123.

Respectfully submitted,

WESTMAN, CHAMPLIN & KELLY, P.A.

By: 

Joseph R. Kelly, Reg. No. 34,847  
Suite 1400 - International Centre  
900 Second Avenue South  
Minneapolis, Minnesota 55402-3319  
Phone: (612) 334-3222 Fax: (612) 334-3312

JRK:slg